

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM
(to be used for all correspondence after initial filing)

OLPE
AUG 16 2005
PATENT & TRADEMARK OFFICE

Application Number	10/726,711
Filing Date	December 4, 2003
First Named Inventor	Kou Takatori
Art Unit	2883
Examiner Name	Michael P. Mooney
Attorney Docket Number	19546.0047

Total Number of Pages in This Submission

3

ENCLOSURES (check all that apply)

- | | | |
|---|---|--|
| <input type="checkbox"/> Fee Transmittal Form

<input type="checkbox"/> Fee Attached
<input checked="" type="checkbox"/> Amendment / Reply

<input type="checkbox"/> After Final

<input type="checkbox"/> Affidavits/declaration(s)

<input type="checkbox"/> Extension of Time Request

<input type="checkbox"/> Express Abandonment Request

<input type="checkbox"/> Information Disclosure Statement
<input type="checkbox"/> Certified Copy of Priority Document(s)
<input type="checkbox"/> Response to Missing Parts/ Incomplete Application
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Drawing(s)

<input type="checkbox"/> Licensing-related Papers

<input type="checkbox"/> Petition

<input type="checkbox"/> Petition to Convert to a Provisional Application
<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address

<input type="checkbox"/> Terminal Disclaimer

<input type="checkbox"/> Request for Refund
<input type="checkbox"/> CD, Number of CD(s) ____ | <input type="checkbox"/> After Allowance Communication to Group
<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)

<input type="checkbox"/> Proprietary Information

<input type="checkbox"/> Status Letter

<input type="checkbox"/> Other Enclosure(s) (please identify below): |
|---|---|--|

Remarks

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Michael A. Schwartz, Reg. No. 40,161 Swidler Berlin LLP
Signature	<i>Michael A. Schwartz</i>
Date	August 16, 2005

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Typed or printed name

Signature

Date

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: K. TAKATORI

Attorney Docket No: 19546.0047

Application No.: 10/726,711

Group Art Unit: 2883

Filed: December 4, 2003

Examiner: M. Mooney

For: OPTICAL CROSSCONNECT DEVICE AND MONITORING METHOD OF OPTICAL
CROSSCONNECT DEVICE

RESPONSE TO RESTRICTION/SPECIES ELECTION REQUIREMENT

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

In response to the Restriction Requirement mailed on July 28, 2005, Applicant submits the following remarks for entry and consideration prior to the examination of the above-identified application.

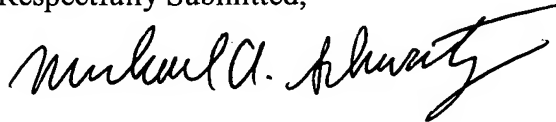
SPECIES ELECTION REQUIREMENT

The Examiner has imposed a Species Election Requirement on the claims filed with this application. In response, the Applicant hereby elects to pursue the invention of Species A, drawn to the optical crossconnect device of the first embodiment per figure 2. Applicant submits that this species elections pertains to at least the following claims: 1-6; and 18. As provided by 37 C.F.R. §1.141, Applicant understands that upon allowance of a generic claim, the claims of the non-elected species can be included in the application if written in dependent form or otherwise include all the limitations of an allowed generic claim.

CONCLUSION

No fees are believed to be due at this time. Should any fee be required, however, please charge such fee to Swidler Berlin LLP Deposit Account No. 195127, Order No. 19546.0047.

Respectfully Submitted,



Dated: 8-16-2005

Michael A. Schwartz, Reg. No. 40,161
Swidler Berlin LLP
3000 K Street, NW
Suite 300
Washington, DC 20007
(202) 424-7500 (Telephone)
(202) 295-8478 (Facsimile)